BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

In the Matter of the Request of)

KAIFEN YAMASHIRO

DOCKET NO. 04-0071

To Place Operating Authority on)
Inactive Status.

<u>ORDER NO. 21075</u>

JIV OF CONSUMER ADVOCACY DEPT. OF COMMERCE AND COMMERCE AND COMSUMER AFFAIRS

Filed June 23, 2004

Chief Clerk of the commission

ATTEST: A True Copy
KAREN HIGASHI
Chief Clerk, Public Utilities
Commission, State of Hausii

Commeission, State of Hawaii.

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ORDER

I.

Request to Place Common Carrier Authority on Inactive Status

On April 15, 2004, KAIFEN YAMASHIRO ("Petitioner") filed a letter requesting commission approval to voluntarily surrender her authority under certificate of public convenience and necessity number 5691-C ("Certificate No. 5691-C"). Certificate No. 5691-C authorizes Petitioner to transport passengers by motor vehicle over irregular routes on the island of Hawaii, excluding Waipio Valley, in the (1) 1-to-7 passenger classification, and (2) 8-to-25 passenger classification, limited to utilizing motor vehicles with a maximum manufacturer's seating capacity of 15 passengers.

On June 1, 2004, Petitioner filed a letter requesting that Certificate No. 5691-C be placed on inactive status. appears that it is Petitioner's intention to place Certificate No. 5691-C on inactive status, the commission will Petitioner's request of April 15, 2004 to voluntarily surrender Certificate No. 5691-C as moot.

Under Hawaii Revised Statutes ("HRS") § 271-19, the commission may place a certificate on inactive status upon written request by a motor carrier, and for good cause shown. The inactive period, however, may not exceed 12 months. In addition, HRS § 271-19 provides that inactive status may only be granted for a cumulative period not to exceed two years over the life of the certificate.

The commission finds that there is good cause to grant Petitioner's request. If Petitioner so desires she may file, prior to the expiration of the inactive period granted by this order, a request to extend her inactive status for up to one additional year.

II.

Orders

THE COMMISSION ORDERS:

- 1. Petitioner's Certificate No. 5691-C is placed on inactive status for one year, effective from the date of this order.
- 2. If Certificate No. 5691-C is not reactivated prior to the expiration of the period of inactivity, i.e., within one year from the date of this order, it shall be declared abandoned and revoked. The request to reactivate Certificate No. 5691-C, along with the filing of all required documents necessary for reactivation must be completed prior to the expiration of the inactivity period, or Certificate No. 5691-C shall be revoked.

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3. Petitioner shall not transfer her inactive certificate unless Petitioner can first establish good cause to the commission for the transfer, and the commission has approved the request to transfer.

DONE at Honolulu, Hawaii this 23rd day of June, 2004.

PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

By Carlie F. Calle

Carlito P. Caliboso, Chairman

Maynikismus

ayne H. Kimura, Commissioner

Bv

Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

Benedyne S. (Stone Commission Counsel

04-0071.cs

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 21075 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS DIVISION OF CONSUMER ADVOCACY P. O. Box 541 Honolulu, HI 96809

KAIFEN YAMASHIRO 1142 Kinoole Street Hilo, HI 96720

Karen Higashi

DATED: June 23, 2004